



Phillip Raymond  
McCalla Raymer Leibert Pierce, LLC  
485F US Highway 1 S  
Suite 300  
Iselin, NJ 08830  
Telephone: (732) 902-5399  
NJ\_ECF\_Notices@mccalla.com  
Attorneys for Secured Creditor

Order Filed on July 21, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY


In re:	Chapter 13
Juan Carlos Jimenez,	Case No. 23-11272-JKS
Debtor.	Hearing Date: July 13, 2023 at 8:30 a.m.
	Judge: John K. Sherwood

**CONSENT ORDER RESOLVING OBJECTION TO PLAN CONFIRMATION AND  
PROVIDING FOR SURRENDER OF REAL PROPERTY**

The relief set forth on the following pages, number two (2) through two (2) is hereby

**ORDERED**

**DATED: July 21, 2023**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

Page 2

Debtor: Juan Carlos Jimenez  
Case No.: 23-11272-JKS  
Caption of Order: **CONSENT ORDER RESOLVING OBJECTION TO PLAN  
CONFIRMATION AND PROVIDING FOR SURRENDER OF  
REAL PROPERTY**

The undersigned parties resolved U.S. Bank Trust National Association, not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2018-RP2, by Fay Servicing, LLC's ("Secured Creditor") Objection to Plan Confirmation, ECF No. 20, and agree Debtor shall surrender the real property located at 730 Mary Street, Utica, NY 13501 (the "Property"), which is subject to Secured Creditor's lien and is the basis for Secured Creditor's Claim No. 2 (the "Secured Claim") upon entry of this Order confirming Juan Carlos Jimenez's ("Debtor"), ECF No. 13 (the "Plan"), and the parties having agreed to the terms set forth herein and for good cause shown it is hereby;

**ORDERED AS FOLLOWS:**

1. Secured Creditor's Objection to Plan Confirmation (**ECF No. 20**) is hereby resolved by this Consent Order
2. The Property subject to Secured Creditor's Secured Claim shall be surrendered upon entry of this Order confirming Debtor's Plan. The automatic stay in effect pursuant to 11 U.S.C. § 362(a) and co-debtor stay in effect pursuant to 11 U.S.C. § 1301(c), if any, are vacated upon entry of this Order.
3. In the event an amended plan is filed, the terms of this Consent Order shall govern treatment of Secured Creditor's Secured Claim.
4. In the event the instant Chapter 13 bankruptcy case is dismissed or converted to another chapter under the bankruptcy code prior to Secured Creditor's secured claim being paid in full, the terms of the note and mortgage shall govern.

Consent to Form and Entry

McCalla Raymer Leibert Pierce, LLC  
Attorney for the Secured Creditor

By: 

Phillip Raymond

Date: 7.14.23

Law Offices of Avram D White, Esq  
Attorney for the Debtor

By: /s/ Avram D. White

Avram D White

Date: \_\_\_\_\_

In re:  
Juan Carlos Jimenez  
Debtor

Case No. 23-11272-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Jul 24, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2023:

Recip ID	Recipient Name and Address
db	+ Juan Carlos Jimenez, 53 Cottage Street, Jersey City, NJ 07306-2801

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 26, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2023 at the address(es) listed below:

Name	Email Address
Avram D White	on behalf of Debtor Juan Carlos Jimenez clistbk3@gmail.com adwlawoffice1@gmail.com;crismateo02@gmail.com;lawworkmorris31@gmail.com;whitear82230@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor Nationstar Mortgage LLC dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Phillip Andrew Raymond	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2018-RP2 phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com
Phillip Andrew Raymond	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity, but solely as trustee of Citigroup Mortgage Loan Trust 2018-RP2, by Fay Servicing, LLC phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

District/off: 0312-2

User: admin

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Date Rcvd: Jul 24, 2023

Form ID: pdf903

Total Noticed: 1

Robert P. Saltzman

on behalf of Creditor Ajax Mortgage Loan Trust 2019-E Mortgage-Backed Securities, Series 2019-E, by U.S. Bank National Association, as Indenture Trustee dnj@pbslaw.org

Stuart H. West

on behalf of Creditor Ajax Mortgage Loan Trust 2019-E Mortgage-Backed Securities, Series 2019-E, by U.S. Bank National Association, as Indenture Trustee swest@pbslaw.org

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8